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Held at Headquarters, New York,
on Thursday, 21 November 1991, at 10 a.m.

President: Mr. SHIHABI (Saudi Arabia)

- Question of Palestine

  (a) Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People

  (b) Report of the Secretary-General

- Organization of work

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The meeting was called to order at 10:10 a.m.

AGENDA ITEM 33

QUESTION OF PALESTINE

(a) REPORT OF THE COMMITTEE ON THE EXERCISE OF THE INALIENABLE RIGHTS OF THE PALESTINIAN PEOPLE (A/46/35)

(b) REPORT OF THE SECRETARY-GENERAL (A/46/623 and Corr.1)

The PRESIDENT (interpretation from Arabic): Before calling on the first speaker, I wish to propose that the list of speakers in the debate should be closed at 12 noon today.

May I take it that the General Assembly agrees to that proposal?

It was so decided.

The PRESIDENT (interpretation from Arabic): I now call on Her Excellency Mrs. Absa Claude Diallo of Senegal in her capacity as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

Mrs. DIALLO (Senegal), Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (interpretation from French): It is an honour and a privilege for me, as Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to address the General Assembly and introduce the agenda item entitled "Question of Palestine".

First of all, Mr. President, I wish to congratulate you on behalf of the Committee on your election to the Presidency of the Assembly at such an important time in the history of this Organization. Your diplomatic talents and your commitment to peace have been and will continue to be of great value to the smooth progress of our deliberations. Let me assure you of the Committee's full support in the performance of your duties. I should also

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like to take this opportunity to express thanks once again to your predecessor, His Excellency Mr. Guido de Marco, for the able manner in which he presided over the work of the Assembly last year and for his devotion to the Palestinian cause.

This past year has seen historic changes and a renewed hope of seeing at last within our reach a comprehensive and just solution to the question of Palestine which has for so long been sought by the international community.

During this session of the Assembly we have heard speaker after speaker express the hope that the new world order resulting from recent upheavals will be based on respect for the principles of equal rights and self-determination of peoples, on the primacy of law in international relations and on human rights and fundamental freedoms for all, as enshrined in the Charter of the United Nations.

In action as well as in speech, the international community is demonstrating more and more clearly its desire to ensure that the new world order will live up to those hopes. This year the international community has stepped up efforts to end regional conflicts in various parts of the world, to promote democratic evolution and to lay foundations that will make it possible at last to take a concerted approach to solving the problems common to the human race.

The end of the cold war, the new spirit of international cooperation and recent developments in the Middle East region have, for the first time in the long history of the Palestinian conflict, created conditions favourable to direct negotiations between the parties concerned.

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Our Committee has considered that development most encouraging and felt that it opened up promising possibilities for international action in aid of the Palestinian people, despite the serious deterioration of the situation in occupied Palestinian territory and despite the suffering and the upheavals experienced by the Palestinian people during and after the conflict in the Persian Gulf.

I should like to recall that, since the partition of Palestine decided upon by this Assembly 44 years ago, the international community has not been able to bring about the full application of the principles of the Charter to the Palestinian people. After the recognition of the inalienable rights of the Palestinian people in the early 1970s, the General Assembly set up our Committee, thus demonstrating its determination to correct the imbalance resulting from the creation of only one of the two States that had been called for in the resolution on the partition of Palestine. Although endorsed by the General Assembly, the Committee's recommendations for a comprehensive, just and lasting settlement of the question of Palestine on the basis of the principles of the Charter of the United Nations and the resolutions adopted by the Organization have not yet been implemented. Nevertheless the Committee has continued to work ceaselessly to achieve that end and to foster a better understanding of the question in international public opinion.

During the past few years, particularly since the beginning of the intifadah, which was followed by the declaration of the independence of Palestine and by the 1988 peace initiative, a foundation for international consensus on the key elements of the problem and the modalities for its solution has been laid.

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The central importance of the Palestinian question in finding a solution to the Arab-Israeli conflict and the fact that the Palestinians are a people with the right to the realization and exercise of their national rights are now realities no longer contested by anyone.

Considering therefore that the international community's most urgent task is to break the diplomatic and political deadlock that has resulted in so much suffering in recent years, our Committee has expressed its support for the peace initiative encouraged by the United States and the Union of Soviet Socialist Republics. The Committee sincerely trusts that the Conference convened in Madrid at the end of October last will result in agreements that will meet the needs and aspirations of all parties, and permit the Palestinian people to exercise its rights. The Committee is convinced that this represents an unprecedented, historic opportunity and calls on all parties to display political courage and the necessary readiness for compromise so that the common objective, a just and lasting peace for all the countries in the region, may be attained.

Israel can and must contribute to this aim, by immediately improving the conditions faced by the Palestinians in the occupied territories. The Committee once again calls urgently on Israel to abide by its obligations as occupying Power under the 1949 Geneva Convention on the Protection of Civilian Persons in Time of War. Our Committee's report, which the Rapporteur will soon be submitting in detail, contains overwhelming information in this connection. Far from being biased, as is claimed by some, the information is

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based on data collected by organizations that enjoy respect in the field of human rights, on articles that have appeared in the Israeli and Palestinian press and on documents published by Governments, United Nations agencies, non-governmental organizations and experts who have taken part in meetings held under the auspices of the Committee.

Solving the Palestinian problem would enable an end to be put to Israel's repression of the intifadah, the uprising that is largely the work of young people armed only with stones. Israel's repression of this symbol of the Palestinian people's resistance had, by 31 July 1991, resulted in the death of 966 Palestinians, at least 47 of them killed in clandestine operations carried out by the Israeli Defence Forces. More than 111,000 Palestinians were wounded in the same period, with children accounting for a quarter of the victims.

Since the beginning of the intifadah, more than 75,000 Palestinians have been detained for varying periods of time, 14,000 under administrative detention orders - that is, without trial or indictment. The incarceration rate in the occupied territory is reported to be the highest in the world. It has also been reported that torture continues to be used as an interrogation method, and information has been received of such ill-treatment in prison and detention camps that it has led to repeated hunger strikes.

Collective punishment has continued to be a cause of great suffering for the population and of major destruction. Thus, during the Gulf War, at a time when medicines and food were in short supply, curfews, some of them round-the-clock and long-lasting, were imposed on hundreds of thousands of Palestinians. Since the beginning of the intifadah, more than

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2,000 Palestinian houses and other buildings have been demolished or sealed up and some 120,000 trees have been uprooted. Very harsh restrictions have been placed on the movement of Palestinians living under the occupation regime, resulting in widespread unemployment. It is estimated that by April 1991 100,000 Palestinians had lost their jobs with Israeli employers, and for the greater part of the intifadah schools have been closed; and most students have been deprived of their right to education for the past four years.

It is the responsibility of the international community and, in particular that of the High Contracting Parties to the Fourth Geneva Convention, to ensure the re-establishment of respect for human rights in the occupied Palestinian territory. This is an urgent task that we must carry out without waiting for progress in the peace process. Recourse to deadly force against unarmed civilian persons must stop. Schools and universities must be reopened. Political prisoners must be freed. Collective punishments must cease. An improvement of the human rights situation in the occupied territory is bound to make a useful contribution to the peace process.

The Committee's report points out that since the beginning of the intifadah Israel has confiscated some 500 square kilometres of land in the West Bank and in the Gaza Strip. Since it seized the territory in 1967, Israel has expropriated approximately 60 per cent of Palestinian lands. More than 200,000 settlers now reside in 170 rural and urban settlements in the occupied territory, including expanded East Jerusalem. This process of creeping annexation, which can also be seen in roadbuilding and the diversion

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of water resources for the use of Israel and Israeli settlers at the expense of the Palestinians, has accelerated in the past few months. These activities are an obstacle to peace and a source of constant conflict in the region. They are also in violation of the Fourth Geneva Convention, and therefore have been condemned by the Security Council, the General Assembly and the entire international community.

It is therefore of the utmost importance that all the confiscations of the land and the settlement activities by Israel in the occupied Palestinian territory, including Jerusalem, be halted.

In addition to the necessary protection and emergency assistance measures, the international community must do all in its power to stop the rapid deterioration in the living conditions of the Palestinian people and establish the socio-economic infrastructure needed for real development of the occupied Palestinian territory in preparation for its emergence as an independent nation.

Although there are peace initiatives under way, the Committee for the Exercise of the Inalienable Rights of the Palestinian People has been alarmed by the steady deterioration of the situation in the occupied Palestinian territory, and has therefore made every effort to mobilize public opinion.

At the same time, the Committee has done its best to contribute to the creation of a climate favourable to the peace process, by encouraging open and constructive discussions between experts representing all parties and all shades of opinion, including Palestinians and Israelis. In 1991, a European

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Regional Seminar was held at Madrid in May; it was followed in June by the North-American Regional Non-Governmental Organization Symposium at Montreal, and in August by the European Regional Non-Governmental Organization Symposium and the International Non-Governmental Organization Meeting at Vienna. An Asian regional seminar and a non-governmental organization meeting are being prepared and will be held at Nicosia in January 1992.

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The Committee is very grateful to the Governments of Spain, Canada, Austria and Cyprus for the assistance they have given the Committee during the organization of these meetings. We feel that these activities are very useful and enable representatives of Governments and non-governmental organizations, parliamentarians, experts and other individuals to analyse the situation, to establish contacts and to study together strategies for the future.

The Committee, with assistance from the Division for Palestinian Rights, has continued to follow carefully the situation in the occupied Palestinian territories and to report regularly to the General Assembly and the President of the Security Council. Studies and publications have come out on various aspects of the question of Palestine in order better to inform international public opinion and mobilize it. The Committee believes that the role of the Division for Palestinian Rights as a centre for information and documentation on this question should be duly recognized and appropriately strengthened and has asked the Secretary-General to study the possibility of establishing an automated data bank to facilitate the Division's task.

After the collapse of the Berlin Wall, another wall has begun to crumble in Madrid - that is, the wall built up by decades of fear, hatred and lack of understanding. The question of Palestine has now reached a crucial stage and the Committee and I trust that the hopes of 1991 will become reality thanks to historic decisions to be taken over the next few months. Our Committee, established to promote the exercise of the inalienable rights of the Palestinian people, will continue to do its utmost to ensure that that goal is finally realized through the triumph of reason and right so that justice is

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rendered the Palestinians and peace and security is achieved for everybody. Our Committee is resolved, within the context of the mandate given it by the General Assembly, to contribute towards the establishment in the Middle East of an honourable peace with neither victors nor vanquished.

The PRESIDENT (interpretation from Arabic): I call on Mr. Victor Camilleri of Malta, in his capacity as Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to introduce the Committee's report (A/46/35).

Mr. CAMILLERI (Malta), Rapporteur of the Committee on the Exercise of the Inalienable Rights of the Palestinian People: It is an honour and a privilege for me in my capacity as Rapporteur to present to the General Assembly the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People covering its work during the past year.

In 1991 the Committee, under the able guidance of its Chairman, Her Excellency Ambassador Absa Claude Diallo, diligently carried out its mandate in conformity with the resolutions adopted by the General Assembly.

This has been a year of momentous change internationally and in the Middle East region itself, with great consequences for the question of Palestine, and the Committee has closely monitored these developments and has taken them into account in its report.

In the introduction to the report, the Committee stresses the urgent need to bring about a comprehensive, just and lasting settlement of the question of Palestine in the light of the deteriorating situation of Palestinians in the occupied territory and the intensification of repressive measures and of the

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policy of annexation of Palestinian and Arab land pursued by Israel. The report reaffirms that this policy and the continued denial of Palestinian rights are the principal obstacles to the achievement of a just peace. At the same time, the Committee recognizes that new opportunities now exist and calls for intensified efforts to bring about a solution based on international law, the United Nations Charter and United Nations resolutions, which must be applied in an even-handed manner.

Chapters II and III of the report are procedural and summarize the respective mandates of the Committee, the Division for Palestinian Rights and the Department of Public Information; they also give information on the organization of work of the Committee.

The action taken by the Committee in 1991 is described in chapter IV of the report. The Committee has monitored the situation in the Palestinian territory occupied since 1967, including Jerusalem, on an ongoing basis through the media and the reports of United Nations organs and agencies, as well as through information collected by Governments, non-governmental organizations, individual experts, including Israelis and Palestinians, who participated in meetings held under the auspices of the Committee, and other sources. The Committee also received repeated appeals from Palestinians living under occupation drawing attention to their situation and calling for international protection.

The Committee notes with deep concern that in its efforts to suppress the intifadah Israel has continued to resort to the use of often excessive and indiscriminate force, including shooting at demonstrators, the misuse of tear-gas and punitive beatings. Human rights organizations have also alleged

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the use of extrajudicial executions as a means of controlling unrest, and the use of torture as an interrogation method. The incarceration rate of Palestinians in the occupied territory is reported to be the highest known anywhere in the world. Thousands of Palestinians remain imprisoned without charges or trial.

Information is also given on the expanded confiscation of land and settlement activity by Israel, as well as on a variety of measures which have been taken aimed at restricting and damaging Palestinian economic activity. The violations of the rights to education, health, freedom of association, and other aspects of the occupation are also briefly described. The chapter concludes with an urgent appeal for the international protection of Palestinians living under occupation and for the provision of emergency relief as well as development assistance.

As the Assembly is aware, the Committee is mandated to report and make suggestions to the General Assembly and the Security Council on an ongoing basis with regard to developments relating to the question of Palestine. In several letters, which have been issued as documents of the General Assembly and the Security Council and which are listed in section A.2 of the report, the Chairman reported on specific incidents of particular gravity and made recommendations for action by the United Nations and the international community as a whole.

The same section also contains an account of the Committee's participation in meetings of the Security Council relating to its mandate, and of the decisions taken by the Council on this issue during the year. Reference is also made to the visit of Mr. Guido de Marco, President of the

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forty-fifth session of the General Assembly, to the Palestinian refugees in the occupied territories and in Jordan. The report of the President of the General Assembly was circulated earlier this year as a document of the General Assembly at the request of the Committee.

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In its programme of work for 1991, the Committee decided to continue to give the utmost priority to promoting the early convening of the International Peace Conference on the Middle East in accordance with resolution 45/68 of 6 December 1990 and to take an active role in the search for peace. In order to promote this goal, the Committee participated in a number of international meetings and organized, in cooperation with the Division for Palestinian Rights, a regional seminar, two non-governmental-organization symposia and an international meeting of non-governmental organizations, as already mentioned by the Chairman. In these activities, the Committee decided to focus on the following priority issues, in addition to the objective of convening the peace conference: the need to support the intifadah and to provide international protection for the Palestinian people, and the problem posed by increasing Jewish immigration and Israel's settlement policy.

The Committee was encouraged by the active participation in these activities of prominent political personages, parliamentarians, policy makers and other experts, including Israelis and Palestinians, and of committed and knowledgeable non-governmental-organization representatives. The Committee believes that these meetings make a positive contribution to peace efforts by providing a forum for a balanced and constructive discussion of all the issues. Participants have expressed support for the Committee's ideas for a peaceful settlement of the question of Palestine, particularly through the "land-for-peace" formula, the "two peoples, two States" principle and the convening of the peace conference, and have called for appropriate measures to end violations of human rights and ensure respect for the Geneva Convention.

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The Committee also noted that non-governmental organizations have intensified their activities to assist the Palestinian people and to promote a just and comprehensive peace.

Finally, information is also given on the activities of the Division for Palestinian Rights in the field of research, information and publications and on the commemoration of the International Day of Solidarity with the Palestinian People.

Chapter V of the report covers the work of the Department of Public Information in accordance with resolution 45/67 C, including the publications and audiovisual activities of the Department, encounters for journalists and news missions to the area.

Chapter VI, the last chapter of the report, contains the recommendations of the Committee. In this chapter the Committee expresses its continued and full support for the intifadah, the courageous struggle of the Palestinian people to end Israeli occupation and implement the proclamation of independence of November 1988. The Committee reaffirms the international consensus that full respect for and realization of the inalienable rights of the Palestinian people are indispensable for the solution of the question of Palestine. It calls on Israel to recognize and respect Palestinian rights and appeals to all progressive forces in Israel to further intensify their efforts in this regard.

The Committee welcomes the convening by the United States of America and the Union of Soviet Socialist Republics of a conference for the achievement of a comprehensive peace based on Security Council resolutions 242 (1967) and

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338 (1973) and on the land-for-peace principle, and expresses the earnest hope that such a conference will bring about a comprehensive, just and lasting solution to the question of Palestine based on internationally recognized principles and United Nations resolutions. The Committee also expresses the hope that the role of the United Nations will be generally intensified in this process.

The Committee recalls that an international consensus has already been achieved on the essential principles for such a solution. The Committee annexes to the report its original recommendations, which spelled out modalities for the attainment of Palestinian rights and which were endorsed by the General Assembly in 1976 and in subsequent years. These were later complemented by the Declaration and Programme of Action adopted by the International Conference on the Question of Palestine held at Geneva in 1983. The intifadah and the Palestinian peace initiative of 1988 led to an even broader consensus, as shown once again by the near-unanimous adoption last year of resolution 45/68, in which the Assembly called once again for the convening of the International Peace Conference on the Middle East under the auspices of the United Nations, with the participation of all parties to the conflict, including the Palestine Liberation Organization, on an equal footing, and the five permanent members of the Security Council, based on Security Council resolutions 242 (1967) and 338 (1973) and the legitimate national rights of the Palestinian people, primarily the right to self-determination. The Committee also recalls the principles for the achievement of comprehensive peace contained in the resolution, namely, Israel's withdrawal from the occupied territories, including Jerusalem;

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guaranteeing security arrangements for all States in the region; resolving the problem of the Palestine refugees; dismantling Israeli settlements; and guaranteeing freedom of access to the Holy Places, religious buildings and sites.

Pending progress towards a political settlement, the Committee calls with the utmost urgency for all necessary measures to protect the Palestinian people and ensure that Israel respects its obligations under the Geneva Convention and United Nations resolutions, and calls in particular on the Security Council to take action to end Israeli confiscation and settlement of Palestinian land. The Committee also calls for increased international assistance to the Palestinian people in preparation for the future exercise of national sovereignty.

Finally, the Committee pledges to continue and intensify its efforts in implementation of its mandate, and calls on all Governments, including those of the United States and Israel, to participate in its work and in the events organized under its auspices. The Committee trusts that the Assembly will once again endorse its recommendations and support its work as it has done every year since its establishment.

The PRESIDENT (interpretation from Arabic): In accordance with General Assembly resolutions 3237 (XXIX), of 22 November 1974, and 43/177, of 15 December 1988, I now call on the Head of the Observer delegation of Palestine.

Mr. KADDOUMI (Palestine) (interpretation from Arabic): It gives me pleasure, first of all, to extend to you my sincere congratulations on your election to the Presidency of the General Assembly at its current session. We are convinced that with your wisdom and knowledge, you will lead the deliberations at this forty-sixth session to a successful conclusion.

I must also mention the deep-rooted, brotherly relations between your friendly country, the Kingdom of Saudi Arabia, and Palestine, with its struggling people, and the support that the friendly Kingdom of Saudi Arabia lends to the Palestinian people. I note with pride that Al-Quds to which I, as a Palestinian, belong, and whose holy shrines we strive to liberate, is your birthplace which we all hold dear, as a symbol of peace and brotherly love.

I should also like to salute your predecessor, Mr. Guido de Marco, who presided over the deliberations of the General Assembly at its previous session with skill and wisdom. He was a model of fairness and courage and his work was outstanding in serving the international community and solving the issues before it.

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I wish to thank the distinguished Secretary-General, Mr. Javier Perez de Cuellar, for his continuing efforts in the service of the United Nations and the peoples of the world. We thank him for his serious efforts to consolidate the foundations of peace and defend human rights.

I also wish to thank the Committee on the Exercise of the Inalienable Rights of the Palestinian People and its Chairman, Mrs. Absa Diallo, for their valuable efforts in the service of the people of Palestine.

A few weeks ago the world lived through some important historic moments. The world heard speakers on behalf of the parties of the Arab-Israeli conflict. The world had hoped that the peace process in the Middle East would take big steps forward. The peace conference was held in Madrid, the friendly and ancient capital of Spain - a capital whose history the world holds dear and whose civilization is recognized by mankind. The conference was convened at the end of a long period labour. In fact, the United States Secretary of State, Mr. Baker, made sustained efforts to convene it. He undertook successive missions to the region with the aim of bringing the parties of the Arab-Israeli conflict to the same negotiating table.

From the very beginning, Israel, as expected, adopted an intransigent posture by imposing unacceptable conditions, disregarding international legality and taking lightly the movement of the world towards peace. However, the flexibility shown by the Palestine Liberation Organization overcame many difficulties which stood in the way of the convening of this conference and, ultimately, made it possible.

The world heard the parties to the conflict, and the Palestinian delegation was the focus of the world's attention because its cause is just

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and that just cause is the substance and the core of the Arab-Israeli conflict. The sense of responsibility of the Palestinian delegation, its sincere orientation towards peace, gained the respect of the world. It showed the desire of the Palestinian people and its leadership to achieve a just peace that would guarantee the national rights of the Palestinian people and the right of all to live in peace and security.

However, Shamir, Prime Minister of Israel, who went to Madrid with his expansionist ideas and the dream of Greater Israel, tried to falsify history. He tried to deceive the world. He tried to efface the cultural features and the age-old existence of the Palestinian people and replaced them with myths and fairy tales. He ignored the history of our Palestinian people and our forebears who faced up to many an invader and left their imprint on the history and soil of the region.

Our participation in this peace process was a difficult choice for the Palestinian people which has been languishing under the yoke of Israeli occupation for many years now and has witnessed many an international attempt at reaching a settlement being thwarted by Israel through its repressive settler policies and practices that closed the door in the face of all those efforts, despite the support of the international community for them. None the less, our Palestine National Council, at its special session of 24 September this year, decided to accept participation in this new peace process on the basis of clear foundations that adhere to international legality and respond to the resolutions of the United Nations and the desire and movement of the international community towards the finding of peaceful solutions to international problems and regional disputes - especially after

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the outstanding historic developments which mankind has been witnessing following the end of the cold war.

The Palestinian position has been characterized by flexibility and the desire for peace. It went beyond all Israeli obstacles and conditions - unjust obstacles and conditions - in the hope that this conference would indeed be an historic opportunity that would lead to negotiations between the Arabs and Israelis under the sponsorship of the United States and the Soviet Union: a chance to achieve peace for all the peoples of the region. The statement of our Palestinian delegation - with the ideas and initiatives it included - was an indication of our desire to crown this peace process with success, and to ensure its continuation in order to achieve the results we all desire.

At this point, we believe that it is useful briefly to review the stages of the Palestinian question before the United Nations. On 29 November 1947, the United Nations adopted partition resolution 181 (III), which specified the borders of the two States - the Arab and Jewish States. It further specified a special legal status for Jerusalem. Although Israel invoked this resolution and drew its legitimacy from it, it did not abide by its provisions. It expanded beyond its specified borders, including Jerusalem and the other territories of the Palestinian State, over successive periods of time. It ignored the right of the Palestinian people to establish its independent State, as decided by the United Nations.

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Since then, Israel has remained without clear or well-defined international borders, which is a major and dangerous obstacle to any efforts towards peace in the region.

In 1948, the General Assembly adopted its resolution 194 (III), which provided for the return of Palestinian refugees to their homes and for compensation to be paid for their properties. However, Israel has always rejected this resolution, which remains the cornerstone of any political settlement to the question of Palestine.

In 1967, the Security Council unanimously adopted its well-known resolution 242 (1967), which reaffirmed the principle of the inadmissibility of the acquisition of the land of others by force. In resolution 465 (1980), the Security Council made it clear that all measures by Israel to change the character of Palestinian and other Arab territories under its occupation, including Al-Quds are null and void. In a subsequent unanimous resolution, 681 (1990), the Security Council demanded that Israel, as the occupying Power, respect the fourth Geneva Convention of 1949 and apply it to all Arab and Palestinian lands as occupied territories.

As for Jerusalem, many resolutions have been adopted by the Security Council and the General Assembly which declared the annexation of Jerusalem by Israel as null and void.

Since that time, the Middle East has witnessed a series of wars and disputes which have caused great suffering to the peoples of the region and threatened peace and security in the world. Wide-ranging international efforts have been made to find an acceptable, just and peaceful solution. However, all those efforts have always run up against the brick wall of

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Israeli intransigence and rejection. Assuredly, these resolutions are the indispensable foundations and terms of reference that cannot be bypassed in trying to achieve a just and durable settlement.

Surely, Mr. President, you remember the day President Yasser Arafat stood before the General Assembly at its twenty-ninth session, in 1974, when he appealed to the world, with an olive branch in his hand, as a symbol of love and peace, and said:

"Do not let the olive branch drop from my hand". (A/PV.2282, p. 51)

This Palestinian appeal was at that time a courageous initiative on the part of the Palestinian people towards seeking a just solution that would lead to a comprehensive settlement of the Arab-Israeli dispute.

Thereafter, the Palestine National Council, in 1988, adopted its well-known peace initiative, an initiative which gained wide-ranging international support and led to the opening of dialogue between the Palestine Liberation Organization (PLO) and the United States administration, a dialogue which, most regrettably, has stopped. We now believe that the time is ripe for a resumption and that there is no justification for holding this dialogue in suspense any longer. We believe it must be resumed, in the service of the peace process and in support of that peace process.

On the basis of this Palestinian initiative, President Arafat called, in his statement before the Assembly in Geneva in December 1988, for the convening of an international peace conference on the Middle East to be convened on the basis of Security Council resolutions 242 (1967) and 338 (1973) and the inalienable rights of the Palestinian people, first and foremost among which is their right to self-determination.

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We cannot fail to remind you that the PLO was the only party to the Arab-Israeli dispute to welcome the joint American-Soviet statement of October 1977.

In this same context, we all know what the United States President said when he spoke before the United States Congress on 6 March last, saying that any peaceful settlement of the Arab-Israeli dispute must be based on Security Council resolutions 242 (1967) and 338 (1973) as well as on the principle of land for peace, and that that principle is the one which can guarantee security and recognition for Israel as well as guaranteeing the legitimate political rights of the Palestinian people.

President Bush clearly made it clear that the parties concerned must reach an agreement among themselves on these issues through direct negotiations. The executive committee of the PLO immediately issued a statement in which it welcomed the positive aspects of the statement by the United States President. In our statement, we expressed the belief that the statement by President Bush was a promising beginning although it did not include a clear reference to the right of the Palestinian people to self-determination. We believe that right to be an indispensable factor in ensuring the success of the peace process, over and above the need for a clear Israeli commitment to abiding by Security Council resolutions, and, in particular, resolutions 242 (1967) and 338 (1973), which call for withdrawal from all Arab and Palestinian lands occupied since 1967, including Al-Quds, Jerusalem.

We agree with what President Bush said in his statement to the effect that geography cannot ensure peace for anyone and that security cannot be

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achieved through military force alone. In turn, we would add to that statement that security can be achieved only through sincere movement towards establishing peace, justice and good-neighbourliness among the parties to the conflict.

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Israel must realize that true peace will come through its commitment to international legality, through peaceful relations with its Arab neighbours, and through its respect for the national rights of the Palestinian people, particularly their right to self-determination.

Peace is indivisible; it must be comprehensive and just in order for it to be lasting. Furthermore, any attempt to impose partial or unilateral solutions cannot lead to peace. Assuredly, resolutions such as the latest Knesset resolution reaffirming the annexation of the occupied Syrian Golan Heights, run counter to the spirit of the Madrid Peace Conference. Such resolutions give us further indications of the expansionist intentions of the Israeli Government. Such resolutions cannot help the continuation or the success of the peace process.

The opening of the Conference in Madrid was an important first step on the long road to making peace. The constructive efforts of the Palestinian-Jordanian joint delegation, in cooperation with our brothers in Syria, Lebanon, Egypt, the Arab Maghreb and Gulf countries, was an expression of the genuine Arab desire to crown the Conference with success and to make a beginning which may give hope that a true peace can be achieved and that it would guarantee the return of Arab lands and the return of peace and security to all parties to the conflict.

Arab policy is still intent on pursuing this constructive approach, despite the intransigent Israeli positions we witness daily. We hope that the bilateral negotiations which began in Madrid will be resumed in a few days. At this point, it must be reaffirmed that the comprehensive peace process in the region, in all its stages, is anchored in principle and substance on the need for an immediate halting of Israeli settlement in the occupied

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Palestinian and Arab lands, as well as the acceptance of and respect for the fourth Geneva Convention and its application to those lands.

It must be made clear from the very beginning that these negotiations must achieve a complete Israeli withdrawal from all Arab and Palestinian lands, including Holy Al-Quds (Jerusalem), in accordance with a specific timetable, as well as an end to Israeli occupation in all its forms.

It must be confirmed that during this transition period, the Palestinian people, under the supervision and with the participation of the United Nations, will exercise full control of the land and its natural resources, as well as all its political, economic and human affairs, on the road to complete Palestinian sovereignty over the independent State of Palestine.

In this context, I must stress that the achievement of substantive and tangible progress in the bilateral talks will pave the way to and have a positive input in the success of multilateral regional negotiations.

The world stands on the threshold of a new era. The world has hopes of building a new world order based on democracy and respect for human rights, the principles of international law and the right of all peoples of the world to peace, security, sovereignty and independence, free from the threat or use of force.

The international community has witnessed encouraging beginnings in Namibia, Central America, as well as Cambodia, in South-East Asia, encouraging beginnings on the road to solving outstanding problems and disputes by peaceful means. The peoples of our region, the Middle East, also look forward to achieving their aspirations for peace, security and stability in the context of this new world order. The peace process, which began in Madrid, is a positive beginning, an important step on this road. We must all deal with

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this peace process in a spirit of responsibility and pragmatism, so that it may bear the fruits that the peoples of the region desire, as well as peace and security in the world.

Our Palestinian people, which suffers and has been suffering dispersion, oppression and occupation for more than half a century, while continuing its steadfast struggle will not drop the olive branch with which it welcomed our delegation on its return from the Madrid peace conference. Our Palestinian people reaffirms its determination to achieve an honourable, just and peaceful settlement.

The intifadah of our people in the occupied territories is a cry in the face of occupation. It is an appeal to international conscience. It reaffirms the right of our people to live in freedom and peace. The intifadah will continue as long as the Israeli occupation continues.

We continue to believe that the United Nations, which was not given its appropriate and effective role at the beginning of the current peace process, continues to be the qualified international body to lay the foundations of the new world order. The United Nations must participate positively in defending peace. The peoples of the world insist on this role and recognize its importance. We therefore hope that the United Nations and the Security Council will continue to provide support and assistance in different forms to the Palestinian people and the Palestine Liberation Organization (PLO), as has been the case in years past, as that would support the peace process and encourage the different parties to deal with the process positively.

(Mr. Kaddoumi, Palestine)

The responsibility of the United Nations for peace and security in the Middle East did not end with the beginning of the peace process in Madrid. The United Nations still has a major role to perform in this peace process which began on the basis of its resolutions, its principles and its Charter.

At this session, we have witnessed the realization of the hopes and aspirations of many peoples which, like our Palestinian people, were deprived of their right to self-determination. They aspired after sovereignty and independence and now they have become Members of the United Nations. While congratulating these new Members, we look forward to the day when our Palestinian people will soon be able to exercise its right to self-determination and will be able to establish its independent Palestinian State. Let us hope that peace will come to the Middle East and the entire world.

Mr. MUSA (Malaysia): The question of Palestine was in the forefront of the General Assembly's agenda when the United Nations was at its infancy, and yet more than 40 years later the issue remains unresolved. We in Malaysia see the present international climate of cooperation in solving regional and international conflicts by peaceful means as providing an excellent opportunity to seek a comprehensive and durable solution to the Middle East conflict, the crux of which is the Palestinian problem. Further delay in its solution can cause dire political and humanitarian consequences, especially to that volatile region of the world.

During the last few months we have witnessed serious efforts made by the United States in advancing the peace process, after the speech to Congress

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calling for peace in the Middle East on the basis of trading territory, in the context of Security Council resolutions 242 (1967) and 338 (1973). Malaysia applauds the United States initiative, which has led to the convening of the Madrid Peace Conference on the Middle East.

Malaysia is fully aware of the delicate and difficult nature of the peace process. It needs patience, vision and, more important, political will and good faith on the part of all the parties concerned, particularly Israel, which occupies Palestinian Gaza and the West Bank, including Jerusalem, the Syrian Golan Heights and southern Lebanon.

As the first step towards a genuine peace process, to help diffuse tensions and build confidence between the two sides, Israel should demonstrate its sincerity by abandoning immediately its policy of the construction of illegal Jewish settlements in the occupied Palestinian and Arab territories. Israel's persistence in pursuing its illegal settlement policy at a time when the whole world wants peace amounts to an unwarranted act of provocation against peace. That is particularly true in the case of the new construction of illegal Jewish settlements on the occupied Syrian Golan Heights at the very time when the Madrid Peace Conference is in progress.

Peace and stability in the Middle East will continue to elude us so long as the Palestinians are denied their basic, legitimate and inalienable rights to self-determination and a homeland. A comprehensive and just solution to the Palestinian problem will not be achieved until Israel withdraws from all territories occupied since 1967, including Jerusalem and other Arab territories, in conformity with Security Council resolutions 242 (1967) and 338 (1973) and other relevant resolutions.

(Mr. Musa, Malaysia)

However, for years now, Israel not only has ignored numerous Security Council resolutions but also persists in pursuing a policy of establishing a "Greater Israel" through the settlement of Jews in the occupied territories. The policy is designed to alter the demographic composition of the occupied areas, to efface the Palestinian identity, to obliterate the rights of the Palestinians and to uproot them in a manner unprecedented in history.

In implementing that policy, the Israeli authorities have been resorting to repressive measures ranging from confiscation of Palestinian private and public properties to detention, torture, collective punishment and killing of Palestinian nationals. That policy must be seen and treated as what it really is, an attempt at creating a fait accompli; if allowed to go uncontested, it would lead to an annexation. What is required is firm action by the General Assembly and the Security Council to put an immediate end to the policy.

The Palestinian intifadah, now in its fourth year, is the concrete ongoing expression of the Palestinian people's opposition to the long and brutal years of Israeli occupation. It will continue so long as Israel continues to occupy Gaza and the West Bank, including Jerusalem. Israel must realize that the Palestinians will not succumb to those bullies in Israeli army uniforms who have no compunction in shooting women and children, harassing the Palestinians in the middle of the night and bulldozing Palestinian homes. Palestinians are determined to liberate their territory and to win back their rights to justice and a dignified life in their homeland.

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Israel's brutality in the occupied territories has intensified, causing grave concern about the pressing problem of the safety and protection of the Palestinians. Israel's repressive measures have continued unabated. The brutal policies are in flagrant violation of fundamental human rights, the Fourth Geneva Convention and various resolutions of the Security Council. The Israeli authorities have gone to the extent of harassing and obstructing the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in its work in the occupied territories. We pay a tribute to all those who are serving in UNRWA in extremely difficult circumstances. UNRWA's work is crucial, and, indeed, the Agency has become an essential life-support system for about 2 million Palestinians who qualify for its assistance.

Concern about the safety and protection of the Palestinians drove Malaysia and other non-aligned countries that are members of the Security Council to sponsor Security Council resolutions 673 (1990) and 681 (1990), which demand that Israel, the occupying Power, accept the de jure applicability of the Fourth Geneva Convention and abide scrupulously by the provisions of the Convention. In the same spirit, Malaysia has supported the convening of a conference of high contracting parties to the Fourth Geneva Convention for the purpose of addressing the problem of Israel's compliance and the question of an enhanced United Nations role in monitoring and observing the situation in the occupied territories. We are deeply disappointed that the Security Council has made no earnest attempt to follow up its own resolution 681 (1990), which, in order to avoid a veto, it took 50 days to negotiate. Malaysia firmly believes that, in terms of the Geneva Convention and what is expected of the Security Council, there can be no difference or distinction, with regard to what needs to be done to help,

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between people suffering as a result of invasion and those languishing under occupation. It remains our conviction that the Security Council has a duty to ensure the protection of Palestinian civilians in the occupied territories, even when there is a peace process going on. The attempt of the Israeli authorities in recent days to harass Hanan Ashrawi - a prominent member of the Palestinian delegation to the Madrid Peace Conference - and to threaten her with police action merely underlines the need for United Nations action to protect Palestinians from intimidation and harassment.

The Palestinian resistance will last so long as the Israeli occupation continues, and eventually Israel will have to face this reality. The sooner Israel recognizes Palestinian rights, conforms to Security Council resolutions 242 (1967) and 338 (1973) and rejoins the international community in paving the way towards a peaceful settlement, the better it will be for all concerned.

Malaysia empathizes fully with the just struggle of the intifadah. At the same time we should like to pay our respects to the Palestinian leadership for its forward-looking and positive attitude in agreeing to participate in the Madrid Peace Conference.

Stability in the Middle East, as well as international peace and security, will continue to be threatened until a just settlement of the Palestinian problem is fully attained. Malaysia affirms its support for the ongoing negotiating process but, at the same time, believes that the General Assembly and the Security Council must address with urgency and firmness the question of illegal Jewish settlements and the question of protecting and providing safety for Palestinians in the occupied territories. The United Nations must assert over and over again that the situation on the ground has

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not changed. Also, the Madrid Conference does not nullify in any way the General Assembly's repeated calls, by an overwhelming majority, for an international peace conference on the basis of the relevant resolutions, including Security Council resolutions 242 (1967) and 338 (1973). We must not allow the General Assembly and the Security Council to be immobilized or lulled into inaction just because there has been an initial meeting in Madrid. The Madrid Conference, however historic and significant, cannot by itself bring about a durable solution; it will need to be followed up by negotiations on the issues - essentially the issue of exchanging the occupied territories, including Jerusalem, for peace and secure borders.

Mr. SUTRESNA (Indonesia): My delegation has in the past expressed profound concern at the continuing deterioriation of the situation in the occupied Palestinian and other Arab territories - a situation that, in recent years, has been aggravated by a lack of progress in efforts to deal with the Middle East conflict, at the core of which is the question of Palestine. This seemingly endless succession of debates is in stark contrast with the tragedy of human suffering and the inability of this Organization to deal with Israel's aggressive and expansionist policies.

As events of past years show, Israel's obsession with the creation of "a greater Israel" by any means has had a disturbing impact on regional and global peace and security. Systematically, Israel has authorized the establishment of new settlements for the purpose of perpetuating occupation through demographic, cultural and social changes. It has expropriated a substantial portion of land in the occupied territories, despite strong Arab protests, and has exercised stringent control over the economy, thus rendering

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the remaining land vulnerable to Israel's will. Substantial parts of the West Bank have already been absorbed, as have the so-called State lands, and Israel has unilaterally proclaimed Jerusalem its "eternal capital".

(Mr. Sutresna, Indonesia)

These policies are rapidly bringing the occupied territories to a point of no return and, inevitably, will make the return of those lands practically and politically impossible. The number of settlers implanted in these areas and the houses and lands given to them have already reached staggering proportions. Meanwhile, the situation has continued to worsen, critically impinging on the safety and protection of the civilian populations. The daily acts of wanton violence unleashed against civilians in the West Bank, the Gaza and the Holy City of Al-Quds, have fully exposed Israel's attempts to impose an annexationist fait accompli on the occupied territories.

The Gulf war has further deepened the despair of the Palestinians while compounding their daily sufferings. The already crippled economy in the occupied territories was obliterated by Israeli war-related restrictions. It should also be remembered that the intifadah sprang from the deep frustration of a people whose demands for an end to oppression went unanswered. These developments have galvanized the Palestinian nation, under the leadership of the Palestine Liberation Organization (PLO), its sole and legitimate representative, to secure its inalienable rights to self-determination and statehood.

What the Palestinian people are struggling for is what many nations in Asia and Africa fought for and achieved. Despite several peace initiatives and far-sighted actions by the Palestinian leadership, it is regrettable that the road to peace remains blocked by Israeli intransigence and sterility.

In short, Israel persists in its policies of brutal repression and dispossession of the Palestinians, of forcefully changing the demographic equation by allowing waves of Jewish immigrants to populate the occupied territories and of accelerating the construction of new settlements, all in brazen violation of United Nations resolutions and international law.

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The dismay and disappointment felt by the international community is tempered by the initiative taken by the United States and the Soviet Union jointly to convene a limited peace conference. But the persistence of Israel in seeking peace on its own terms constitutes a major obstacle to the ongoing peace process. The critical question is whether Israel is willing to renounce its illegal occupation of Palestinian and other Arab lands, to opt for land for peace and to enter into a meaningful dialogue that would lead to the fulfilment of legitimate Palestinian aspirations. In this context we continue to believe that ultimately the International Peace Conference, as called for by General Assembly resolution 38/58 C, offers the most effective framework for negotiations on all the essential elements for a just and durable solution.

In the midst of the positive transformation of the global political landscape and the peaceful settlement of various conflicting issues, the Middle East situation continues to be explosive. Given the ever-present danger of escalating violence and widening conflict in the region, there should be no further delay in seeking a negotiated solution that would lead ultimately to the emergence of a new regional order of justice, dignity and stability. Today, there is no longer any question of whether the Palestinians will be victorious in their sacred cause, but rather how long it will take and at what sacrifice. It is also universally recognized that the retention of occupied territories seized by force will have dangerous ramifications for the peace and security of the States in the region, including Israel. Hence, my delegation calls upon the Security Council to address the question of Palestine with the same criteria that were applied to the Gulf crisis. That would constitute an extraordinarily important and positive step.

ORGANIZATION OF WORK

The PRESIDENT (interpretation from Arabic): I should like to inform representatives that the Assembly will consider agenda item 7, entitled "Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations", on the morning of Monday, 25 November, immediately after considering agenda item 32, entitled "Zone of peace and cooperation of the South Atlantic".

The meeting rose at 11.55 a.m.